

**IN THE DISTRICT COURT OF THE UNITED  
STATES FOR THE MIDDLE DISTRICT,  
EASTERN DIVISION, AT:  
MONTGOMERY, ALABAMA**

GENE COGGINS Pro st  
1436 COUNTY ROAD #299  
LANETT, AL 36863  
Plaintiff

CLARA P. HACKETT, CLERK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA.

3:07-CV-597-WHA

CIVIL ACTION NO. 3:07-CV-04-94

DISTRICT COURT NO. \_\_\_\_\_

DARYL KIZZIAH, and WIFE  
LYNN KIZZIAH  
Defendant

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**MOTION TO APPEAR IN FORMA PAUPERIS**

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COMES NOW, THE PLAINTIFF, GENE COGGINS, WITH THIS MOTION TO  
APPEAR IN FORMA PAUPERIS AS A GUARANTEED CONSTITUTION RIGHT  
WITHOUT ANY PAYMENT OF FEES, COST, BOND, OR ANY FORM OF SECURITY  
GIVEN.. Fed. R. App. P. 24..

Gene Coggins  
GENE COGGINS  
1436 COUNTY ROAD #299  
LANETT, AL 36863

**AFFIDAVIT OR DECLARATION  
IN SUPPORT OF MOTION TO PROCEED IN FORMA PAUPERIS**

RECEIVED  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF ALABAMA

I, GENE COGGINS, AM THE PETITIONER IN THE ABOVE ENTITLED CASE. IN SUPPORT OF MY MOTION TO PROCEED WITHOUT BEING REQUIRED TO PREPAY FEES, COST OR GIVE SECURITY THEREOF, I STATE THAT BECAUSE OF MY POVERTY I AM UNABLE TO PAY THE COST OF THIS CASE OR TO GIVE SECURITY THEREOF, AND I BELIEVE I AM ENTITLED TO REDRESS. I FURTHER SWEAR THAT THE RESPONSES I HAVE MADE TO THE QUESTIONS AND INSTRUCTIONS BELOW RELATING TO MY ABILITY TO PAY THE COST OF PROCEEDING IN THIS COURT ARE TRUE.

1. ARE YOU PRESENTLY EMPLOYED? YES        NO   X   RETIRED
  - a. IF THE ANSWER IS YES, STATE THE AMOUNT OF YOUR SALARY OR WAGES PER MONTH AND GIVE THE NAME AND ADDRESS OF YOUR EMPLOYER.
  - b. if the answer is no, state the date of your last employment and the amount of salary or wages per month you received.

Retired as legal assistant for Mr. Charles Reynolds Attorney, of Alexander City, AL, at his death in November of 1995, salary of \$800.00 per month.
2. HAVE YOU RECEIVED WITHIN THE PAST TWELVE MONTHS ANY INCOME FROM A BUSINESS, PROFESSION, OR ANY OTHER FORM OF SELF-EMPLOYMENT, OR IN THE FORM OF RENT PAYMENTS, INTEREST, DIVIDENDS, OR OTHER SOURCES. YES        NO   X  .
  - a. IF THE ANSWER IS YES, DESCRIBE EACH SOURCE OF INCOME AND STATE THE AMOUNT RECEIVED FROM EACH DURING THE PAST TWELVE MONTHS.
  - b. I DRAW ONLY SOCIAL SECURITY A \$442.00 PER MONTH.
3. DO YOU OWN ANY CASH OR HAVE A CHECKING ACCOUNT? YES   X   NO       .
  - a. if the answer is yes, state the total value of items owned.. Presently a minus bf \$1,148.63 in my overdraft protection account.
4. DO YOU OWN ANY REAL ESTATE, STOCK, NOTES, AUTOMOBILES, OR OTHER VALUABLE PROPERTY (excluding ordinary household furnishings and clothing), YES        NO   X  .
  - a. IF THE ANSWER IS YES, STATE THE TOTAL APPROXIMATE VALUE OF THE ITEMS, AND DESCRIBE THE PROPERTY OWNED.
5. LIST THE PERSONS WHO DEPEND UPON YOU FOR SUPPORT AND STATE THE RELATIONSHIP TO THOSE PERSONS. NO ONE, FOR I LIVE WITH MY WIFE IN HER HOUSE AND SHE LIVES ON SOCIAL SECURITY ALSO.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.. EXECUTED ON THIS: [REDACTED]

Gene Coggins  
GENE COGGINS Pro se

6-26-07